

**REMARKS-General**

1. The newly drafted independent claim 31 incorporates all structural limitations of the original claim 28 (in Amendment C) and includes further limitations previously brought forth in the disclosure. No new matter has been included. All new claims 31-34 are submitted to be of sufficient clarity and detail to enable a person of average skill in the art to make and use the instant invention, so as to be pursuant to 35 USC 112.

2. With regard to the rejection of record based on prior art, Applicant will advance arguments to illustrate the manner in which the invention defined by the newly introduced claims is patentably distinguishable from the prior art of record. Reconsideration of the present application is requested.

**Regarding to the Qualification of the Skwirut (US 4,300,073) patent as Prior Art under 35USC102**

3. Pursuant to 35 U.S.C. 102, "a person shall be entitled to a patent unless:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States.

4. However, the Skwirut patent and the instant invention are not the same invention according to the fact that the disclosure of the Skwirut patent does not read upon the instant invention and the newly amended independent claim 31 of the instant invention does not read upon the Skwirut patent too. Apparently, the instant invention, which discloses an illuminable unit, should not be the same invention as the Skwirut patent which discloses a screw-in type lighting unit having a convoluted tridimensional fluorescent lamp.

5. In order to support the above assertions, the applicant respectfully identifies the difference between the instant invention as claimed in the newly amended independent claim 31 and Skwirut disclosure as follows:

(a) Regarding the newly amended independent claim 31, Skwirut discloses a compact fluorescent lamp comprising an envelope (14) which comprises a vitreous tube that is bent in a manner such that it has four substantially straight leg segments (24, 26) wherein the tungsten-coil electrodes (35, 36) are received and supported *within* two of the leg segments (24, 26) (Skwirut, Fig. 2). The instant invention differs from Skwirut patent in that the cathode terminal is strategically received in the spirally-shaped light body at a predetermined angle of inclination consistent with an angle of inclination of the spirally-shaped light body, wherein the cathode terminal is supported in the light body to **space apart** from the conductor enclosure mounted at the bottom end of the respective end portion of the light tube. Moreover, referring to Fig. 1 and Fig. 2 of the drawings of the instant invention, the conductor wire has a **first section** electrically extended from said cathode terminal along said spirally-shaped light body to said conductor enclosure at said corresponding end portion of said light tube, and a **second section** extended along said conductor enclosure for electrifying said mercury source, wherein said second section of said conductor wire is arranged to extend along a longitudinal direction of said corresponding end portion of said light tube within said conductor enclosure, in such a manner that an overall length of said conductor wire is maximized within a confined space of said light tube and said conductor enclosure, while minimizing an overall length of said vertically extending end portion of said light tube, so that said light tube is capable of effectively and efficiently generating illumination while keeping said light tube and said conductor enclosure compact. Thus it is clear that Skwirut patent **does not anticipate** the instant invention as such.

The applicant thinks fit to stress that the overriding object of the instant invention is to provide an illuminable unit having a compact size while keeping its illumination performance effective and efficient. As a matter of conventional technology, the conductor wire must be of certain length in order that when the light tube is heat-sealed at its bottom end in a typical manufacturing process, the high temperature will not adversely affect the cathode terminal. For example, when a 14W cathode terminal is used, a length of the vertically extending end portion of the light tube is usually in the range of 19mm. Since the conductor wire is extended from the cathode terminal received in the spirally-shaped light body and is spaced apart from the conductor enclosure, the overall size of the illuminable unit (and any base structure such as the one disclosed in Skwirut (Fig. 1 and 3)) can be reduced by a factor of the length of the wire extending between the cathode terminal and the conductor enclosure as compared to relevant prior art. Thus, when the illuminable unit of the instant invention is being

manufactured by a typical manufacturing process, the high temperature for sealing the light tube will not adversely affect the cathode terminal while allowing the overall size of the illuminable to be compact. As a reference, when the same 14W cathode terminal is used, a length of the vertically extended end portion of the light tube should only be in the range of 9mm. Thus, this arrangement of the instant invention also allows effective and efficient illumination performance on the part of the cathode terminal.

(b) Regarding the newly amended claims 33 and 34, Skwirut patent **does not anticipate** that the mercury source is amalgam contained in the light tube **in addition to** what is claimed in the newly amended independent claim 31.

### **Response to Rejection of Claim 29 under 35USC103**

6. The remaining rejected claim is claim 29. Claim 29 (as in Amendment C) recited that the mercury source is liquid mercury contained in the light tube. The Examiner rejected claim 29 over Skwirut (US 4,300,073) in view of Ge (US 6,515,433). Pursuant to 35 U.S.C. 103:

“(a) A patent may not be obtained though the invention is **not identically** disclosed or described as set forth in **section 102 of this title**, if the **differences** between the subject matter sought to be patented and the prior art are such that the **subject matter as a whole would have been obvious** at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.”

7. In view of 35 U.S.C. 103(a), it is apparent that to be qualified as a prior art under 35USC103(a), the prior art must be cited under 35USC102(a)~(g) but the disclosure of the prior art and the invention are not identical and there are one or more differences between the subject matter sought to be patented and the prior art. In addition, such differences between the subject matter sought to be patented **as a whole** and the prior art are obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

8. In other words, the differences between the subject matter sought to be patent as a whole of the instant invention and Skwirut which is qualified as prior art of

the instant invention under 35USC102(b) are obvious in view of Ge at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

9. Regarding the newly amend claim 32, Skwirut does not disclose that the mercury source is liquid mercury contained in the light source. The examiner is of the view that it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Skwirut's invention to include liquid mercury as the mercury source as suggested by Ge. The applicant respectfully submits that it would **not** have been obvious to include liquid mercury in the light tube as the mercury source **in addition to** what is claimed in the newly amended independent claim 31. Ge does not anticipate an illuminable unit comprising a light tube having a spirally-shaped light body, a conductor enclosure, a cathode terminal strategically received in the light body at a predetermined position and orientation (i.e. the cathode is spaced apart from the conductor enclosure), and a conductor wire having two sections extended from the cathode terminal to the conductor enclosure and then to the vertically extending end portion of the light tube respectively. This arrangement of the instant invention allows maximization of an overall length of the conductor wire while at the same time minimizing a length of the vertically extending end portion of the light tube for ensuring effective and efficient generation of illumination in a confined space of the light tube and the conductor enclosure. The size of the base structure can also be minimized.

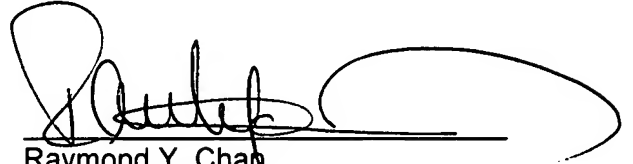
#### **The Cited but Non-Applied References**

10. The cited but not relied upon references have been studied and are greatly appreciated, but are deemed to be less relevant than the relied upon references.

11. In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of the rejection are requested. Allowance of claims 31-34 at an early date is solicited.

12. Should the Examiner believe that anything further is needed in order to place the application in condition for allowance, he is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

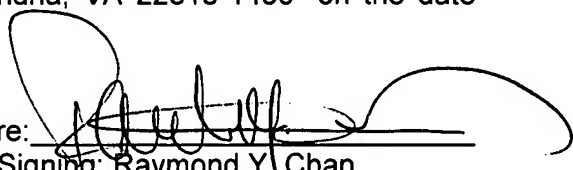


Raymond Y. Chan  
Reg. Nr.: 37,484  
108 N. Ynez Ave.  
Suite 128  
Monterey Park, CA 91754  
Tel.: 1-626-571-9812  
Fax.: 1-626-571-9813

#### CERTIFICATE OF MAILING

I hereby certify that this corresponding is being deposited with the United States Postal Service by First Class Mail, with sufficient postage, in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on the date below.

Date: 07/10/2007



Signature: \_\_\_\_\_  
Person Signing: Raymond Y. Chan